

REMARKS

Claims 1-44 are pending and at issue in the application with claims 1 and 24 being independent claims. No claims have been amended, added or cancelled. Reconsideration and withdrawal of the rejections in view of the remarks below is respectfully requested.

The action rejects claims 1, 2, 4, 5, 7-10, 15, 17, 19, 22-25, 27, 28, 30-34, 36, 42 and 43 under 35 U.S.C. §102(a) as anticipated by Nixon et al. (U.S. Appl. Pub. 2002/0077711). The action further rejects claims 3, 6, 11-14, 16, 18-22, 26, 29, 35, 37-40, 41 and 44 as unpatentable over Nixon et al. in view of one of Spriggs et al. (U.S. Patent No. 6,889,096), Kall et al. (U.S. Appl. Pub. 2003/0149608) or Latzel (U.S. Appl. Pub. 2004/0230897). The applicants respectfully traverse the rejections in light of the remarks below.

Each of claims 1-44 recites a remote data viewing system or a method of viewing entity data collected or generated by a plurality of data source applications. The system or method includes a display of a navigational tree and a display view. The navigational tree includes selectable sections specifying different categories of entity data. Entity data associated with a selected section is presented in the display view in a predetermined format, which is a common display format for presenting entity data of each of the sections. At least some of the data source applications each include a data source display application that presents the entity data in different viewing formats.

Simply put, the cited portions of Nixon et al. do not disclose or suggest that different data source applications include data source display applications that presents the entity data in different viewing formats. Moreover, the cited portions of Nixon et al. do not disclose or suggest a display that then presents entity data in a common display format for each of a plurality of sections specifying the different entity data to be displayed.

In particular, the portions of Nixon et al. cited in the action do not disclose or suggest that the sources of data include display applications that present the collected entity data in different viewing formats. The cited portion of Nixon et al. relied upon in the action as disclosing "different viewing formats" (paragraph [0040]) reads, in part, as follows:

The data collection and distribution system mentioned above may also be provided in the computer 30 or may be dispersed at numerous locations throughout the process network 10 to acquire and process data from any source of data such as the controller systems 12 and 14, the monitoring systems 22 and 26, the financial systems 35, 36, etc. If the data collection and distribution system is located in the computer 30, it may receive data from the disparate sources of data, such as the controllers, equipment monitoring and financial applications separately using different data formats, or using a common format. ... With this system, each data originator can wrap its data using a schema understood or convenient for that device or application, and each receiving application can receive the data in a different schema used for or understood by the receiving application. The server is configured to map one schema to another schema depending on the source and destination(s) of the data. If desired, the server may also perform certain data processing functions or other functions based on the receipt of data. The mapping and processing function rules are set up and stored in the server prior to operation of suite of data integration applications described herein. In this manner, data may be sent from any one application to one or more other applications.

The “different data formats” and “schemas” does not refer to different *viewing* formats; it refers to different *data* formats, as recited the plain language of the text. As seen from the above-quoted passage, the “different data formats” and “different schema” clearly refers to the format used to receive the data from the sources of data (i.e., “it may receive data from the disparate sources of data, such as the controllers, equipment monitoring and financial applications separately using different data formats”). One of ordinary skill in the art would not readily confuse the format or protocol in which the data is received (e.g., file format, data type, communication format, etc.) with “viewing format” which refers to the display (e.g., visual presentation) of the data.

Further, Nixon et al. does not disclose or suggest a common display format that presents entity data collected from a plurality of different data source applications having different display applications with different display formats. For example, the action cites paragraphs [0042], [0043], [0069], [0075], [0092], [0094]-[0096] [0124], [0126] and [0127], as well as Figs. 2, 5A and 5B, as disclosing the recited display application. As provided in the claims, the display application creates a display that includes both a navigational tree and a display view, where selecting sections of the navigational tree results in the entity data being presented in the display view in a common display format. The passages and figures

cited in the action generally correspond to an integrated display application 244 included or used by an asset utilization suite 50 (see paragraphs [0042] and [0043]). At first glance, the display application 244 appears to provide a common display format. However, upon closer review of Nixon et al., this is not the case.

The user interface routine 244 provides a graphical user interface (GUI) which may include a navigation tool similar to a display 350 of a navigation tool disclosed in Figs. 5A and 5B of Nixon et al. to provide information about various levels in the display (see paragraphs [0123]-[0126]). The display of the navigation tool presents different levels of hierarchy representing an organization of the data stored in the configuration database 322 (see paragraphs [0088]-[0099]; Fig. 5). Figs. 8-16 of Nixon et al. disclose examples of additional displays that may be generated by the GUI of the user interface routine 244 (see paragraphs [0130]-[0145]).

However, Nixon et al. discloses that the user interface routine 244 displays the data in a number of *different types* of user screens based upon the application within a suite 50 of applications being executed (see paragraph [0075]: “the user interface 244 can display any or all of a number of different types of user screens based on the application within the suite 50 being executed.”). In other words, the data from the plurality of data sources is presented in *different display formats* depending on the particular data source application being executed, and not in a *common display format*. A simple comparison of Figs. 8-16 of Nixon et al, which depict different displays produced by the GUI of the user interface routine 244, demonstrates that the data is *displayed in different formats* depending on the application and/or level. For example, the display of Fig. 8 represents data associated with a unit 500 and the display of Fig. 12 represents data associated with the plant, where unit and plant correspond to different levels (see paragraphs [0130], [0131] and 0140)). However, the display format of the data for each level is clearly different, as seen by a plain comparison of the figures.

As a result, while Nixon et al. discloses integrating data from multiple data sources and displaying the integrated data, Nixon et al. does not further disclose presenting entity data

associated with selected sections of a navigational tree specifying different categories of entity data in a common format in a display view, where the data source applications that collect or generate the entity data present the entity data in different viewing formats. Instead, Nixon et al. discloses presenting entity data associated with different levels in different formats and presenting entity data from the plurality of data sources in *different formats* depending on the particular application.

It is further noted that none of the displays shown in Figs. 8-12 include a navigational tree, as recited by independent claims 1 and 24. Whereas the displays shown in Figs. 5A and 5B include a hierarchy 350, the displays of Figs. 5A and 5B do not include a display view that display entity data of a selected section of the hierarchy 350. The plain language of independent claims 1 and 24 recite a display that includes *both* a navigational tree and a display view.

Accordingly, while individual aspects of Nixon et al. may appear to disclose the various features of independent claims 1 and 24, Nixon et al. does not disclose the same arrangement of the features as provided in independent claims 1 and 24, because there is no aspect of Nixon et al. that corresponds to the recited display of both a navigational tree having sections specifying different categories of entity data and a display view, and no aspect of Nixon et al. that corresponds to the recited different viewing formats of data sources or the common viewing format of the display application. It is clear that MPEP 2131 requires that a claim can only be anticipated if each and every element as set forth in the claim is found in a signal prior art reference. (See *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). MPEP 2131 further requires that the elements must be arranged as required by the claim. (See *In Re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990)). Accordingly, none of claims 1, 2, 4, 5, 7-10, 15, 17, 19, 22-25, 27, 28, 30-34, 36, 42 and 43 are anticipated by Nixon et al., because Nixon et al. does not disclose each of the features as arranged in each of the claims. It therefore follows that Nixon et al. cannot render any of claims 3, 6, 11-14, 16, 18-22, 26, 29, 35, 37-40, 41 and 44 unpatentable either alone or in view of one of Spriggs et al., Kall et al. or Latzel,

Appln. No. 10/801,195
Amdt. Dated April 28, 2008
Reply to Non-Final Official Action dated December 26, 2007

particularly given that none of these references have been relied upon as disclosing the above-discussed features.

For the foregoing reasons, reconsideration and withdrawal of the rejections of the claims and allowance thereof are respectfully requested. Two (2) independent claims remain in the application as previously paid for, and forty-four (44) total claims remain in the application as previously paid for. This response is being filed with a one-month extension of time and the fee of \$120.00. The applicants believe no additional fee is due. However, the Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 13-2855. Should the examiner wish to discuss the foregoing, or any matter of form, in an effort to advance this application towards allowance, the examiner is urged to telephone the undersigned at the indicated number.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN LLP
233 S. Wacker Drive
6300 Sears Tower
Chicago, Illinois 60606-6357
(312) 474-6300

By: _____

Aaron M. Peters
Registration No.: 48,801
Attorney for Applicants

April 28, 2008